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Paper No. 9

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JAN 2 5 2005

~~DIRECTOR OFFICE  
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In re Application of: Ballachino )  
Application No. 09/667,164 ) DECISION ON REQUEST TO  
Atty Docket No.: 00-C-050 ) WITHDRAWAL HOLDING OF  
Filed: September 21, 2000 ) ABANDONMENT  
For: M-BIT RACE DELAY ADDER AND )  
METHOD OF OPERATION )

This is a decision on the renewed petition to withdraw the holding of abandonment, filed September 21, 2004, under 37 C.F.R. §1.181 and M.P.E.P. §711.03 (c): Petitions Relating to Abandonment, to withdraw holding of abandonment. The original petition was dismissed on August 24, 2004 because it lacked a personal knowledge statement to the previous timely mailing of the correspondence.

The Request for Reconsideration includes, among other items, a declaration from Ms. Kathy A. Hamilton. Ms. Hamilton's name was listed as "Mailer" on the certificate of mailing dated October 7, 2003. The evidence provided in the original petition and this renewed request has established that a response was timely filed on October 7, 2003. The Abandonment was the result of Office error in not matching the response to the application file.

The petition is **GRANTED**. The Notice of Abandonment is **WITHDRAWN**. The Office regrets any inconvenience caused by this error.

The application file is being forwarded to the Technology Center support staff with instructions to withdraw the holding of abandonment and for processing of the amendment. After processing, the application will then be forwarded to the Examiner for appropriate action.

*Josie Ballato*  
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